

REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1-92 were pending prior to the Office Action. Independent claims 1-8, 49-50, and 63-66 have been amended through this Reply. Therefore, claims 1-92 are pending. Claim 1-8, 49-50, and 63-66 independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Interview Summary

Applicants appreciate the time afforded by the Examiner and his supervisor in conducting the Interview on June 23, 2009. During the Interview, Applicants stressed that Hirano fails to teach or suggest extracting a specific color portion of received color image data, wherein the specific color portion is represented by a specific color among a plurality of colors. The Examiner appeared to agree that the currently applied rejection would not cover the claims if amended to recite these features in more detail; however, he reserved the right for further consideration of the reference in view of Applicants' arguments. No definitive agreement was reached.

Claim Rejections - 35 U.S.C. §§ 102 and 103

Claims 1-8, 13-70, and 75-92 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Pub. No. 2003/0105950 to Hirano et al. ("Hirano"). Claims 9-12 and 71-74 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Pub. No. 2004/0119726 to Li ("Li"). Applicants submit the Examiner has failed to establish a *prima facie* case of anticipation and traverse the rejection.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. §102, the cited reference must teach or suggest each and every element in the claims. *See M.P.E.P. §2131; M.P.E.P. §706.02.* Accordingly, if the cited reference fails to teach or suggest one or more claimed elements, the rejection is improper and must be withdrawn.

Hirano discloses a document distribution and management method generally involving access control and authentication procedures. For example, Hirano discloses encrypting access

control information and converting it into visible or invisible watermark data that is embedded into a document. *See, e.g., paragraphs 113-117.* Hirano discloses concealing or revealing secret document information based on the result of a user authentication process. Hirano states that if the user authentication is not completed successfully, the secret information portion is concealed in secret information display portion 971 by using covering characters, such as asterisks. *See paragraph 489; Figures 71-73.* Otherwise, if the authentication is successful, the secret information is acquired and displayed. *See paragraphs 493-494.*

Importantly, Hirano is silent regarding extracting a *specific color portion* of received color image data when the authentication is not completed, as claimed. In fact, Hirano does not disclose performing any sort of information management with respect to a specific color of a color image. Nevertheless, the Examiner appears to interpret the claim language broadly, asserting that it is “inherent” to Hirano’s disclosure that, for printing, the secret information will be a color that must be extracted before it can be deleted or concealed. *See Office Action, page 3.*

Although Applicants do not necessarily concede to the Examiner’s interpretation of the claim language, Applicants have amended the independent claims to more definitively recite the features regarding the extraction of a specific color portion of received color image data. For example, independent claim 1 has been amended to recite, *inter alia*:

“the color image data comprises a plurality of colors, and consists of the specific color portion and a non-specific color portion other than the specific color portion;

the specific color portion is represented by a specific color among the plurality of colors;

the non-specific color portion is represented by a non-specific color, other than the specific color, among the plurality of colors”

In other words, the independent claims now state that the specific color portion is represented by a specific color among a plurality of colors of the color image data. When authentication is not completed, the specific color portion is extracted from the received color image data. In contradistinction, Hirano fails to disclose that the “electronic document” comprises a plurality of colors or that it consists of a specific color portion and a non-specific color portion other than the specific color portion. Furthermore, Hirano fails to disclose a

specific color portion represented by a specific color among the plurality of colors, and that the non-specific color portion is represented by a non-specific color other than the specific color, among the plurality of colors.

Accordingly, Hirano cannot anticipate the novel features of independent claims 1-8, 49-50, and 63-66. The secondary Li reference has not been, and cannot be, relied upon to cure the deficiencies of Hirano. Dependent claims 9-48, 51-62, and 67-92 are also distinguishable from the prior art at least due to their dependence from the independent claims, directly or indirectly. Accordingly, Applicants respectfully request that the rejection of claims 1-92 under 35 U.S.C. §§ 102(e) and 103(a) be withdrawn.

CONCLUSION

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders, (Reg. No. 60,166) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

Charles Gorenstein

Registration No.: 29,271

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant